

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOHN SANCES and KENNETH SANCES,	)	
Individually and in Their Capacity	)	
as Trustees of the 305 Union	)	
Street Trust,	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 03-12635-MLW
	)	
TOWN OF HOLBROOK, GEORGE JAMESON	)	
JOHN CALLAHAN, JOHN PAPP,	)	
CLIFF JACOB, and JACK CULHANE,	)	
Individually and as Members of	)	
the Holbrook Planning Board, and	)	
DANIEL MORIARTY, Individually and	)	
as a Building Inspector for the	)	
Town of Holbrook,	)	
Defendants.	)	
	)	

ORDER

WOLF, D.J.

March 15, 2005

On February 28, 2005, the Magistrate Judge issued a Report and Recommendation (Docket No. 25) regarding the two motions for judgment on the pleadings by defendant Town of Holbrook and individual defendants George Jameson, John Papp, John Callahan, Cliff Jacob, Jack Culhane, and Daniel Moriarity. The court has reviewed the Report and Recommendation, to which no objections were made, and finds it persuasive. Accordingly, for the reasons stated in the Report and Recommendation, it is hereby ORDERED that defendant Town of Holbrook's motion for judgment on the pleadings (Dkt. 6) and the motion for judgment on the pleadings by individual

defendants Jameson, Papp, Callahan, Jacob, Culhane, and Moriarity (Dkt. 10) are ALLOWED as to the federal claims, and the remaining state law claims are REMANDED to Norfolk Superior Court.

/s/ Mark L. Wolf  
UNITED STATES DISTRICT JUDGE